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*Liaison Counsel for the Proposed Class*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

**Cung Le, Nathan Quarry, Jon Fitch, Brandon  
Vera, Luis Javier Vazquez, and Kyle  
Kingsbury, on behalf of themselves and all  
others similarly situated,**

**Plaintiffs,**

**v.**

**Zuffa, LLC, d/b/a Ultimate Fighting  
Championship and UFC,**

**Defendant.**

**No.: 2:15-cv-01045-RFB-BNW**

**[PROPOSED] ORDER RE PLAINTIFFS'  
EMERGENCY MOTION TO COMPEL  
SPARACINO PLLC TO STOP  
COMMUNICATING WITH ABSENT  
MEMBERS OF THE PROPOSED CLASS  
AND FOR RELATED RELIEF**

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Before the Court is Plaintiffs' Emergency Motion to Compel Sparacino PLLC to Stop Communicating with Absent Members of the Proposed Class and Related Relief.

WHEREAS, on or about December 10, 2020, the Court indicated its intention to certify a class defined as follows: all persons who competed in one or more live professional UFC-promoted MMA bouts taking place or broadcast in the United States from December 16, 2010 to June 30, 2017 ("Bout Class");

WHEREAS, Sparacino PLLC ("Sparacino") sent a solicitation to certain persons the firms appeared to believe were members of the proposed Bout Class, asking such persons to retain these firms and opt out of the proposed Bout Class;

WHEREAS, the solicitation by Sparacino was misleading and unethical because, *inter alia*, it failed to indicate that members of the proposed Bout Class do not need to take any action at this time to benefit from any recovery in the class litigation; it did not reveal that opting out of the class action would deprive proposed Bout Class members of the right to participate in any class-wide recovery; and it did not state that this Court has already appointed interim co-lead counsel under Fed. R. Civ. P. 23(g) to represent the interests of the proposed Bout Class;

Having considered the papers submitted, **IT IS HEREBY ORDERED:**

1. Sparacino is enjoined from making, providing, or disseminating any future communications with or to any and all members of the proposed Bout Class, where such contact or communication contains information that is incorrect, misleading, or improper related to the instant litigation.
2. Sparacino is enjoined from making, providing, or disseminating any future communication relating to this matter with or to any and all members of the proposed Bout Class unless such contact is initiated by a member of the proposed Bout Class..
3. Sparacino must, no later than \_\_\_\_\_ at 5:00pm, file under seal in this Court and provide Class Counsel with copies of:
  - a. All communications previously sent to members of the proposed Bout Class;
  - b. A list (in electronic form to the extent available) of all of the names, addresses, telephone numbers, and any other contact or identifying information for the

members of the proposed Bout Class (or others) to whom Sparacino mailed the misleading communications that are the subject of the instant motion;

c. A list (in electronic form to the extent available) of any recipients of the misleading communications that have since contacted Sparacino;

d. A list (in electronic form to the extent available) of any recipients of the misleading communications that have since signed a retainer with Sparacino.

4. Class Counsel are permitted to send a letter to all members of the proposed Bout Class substantially in the form attached to this Order as Exhibit A, correcting the misleading mailing that many of them received from Sparacino and clarifying the proposed class members' legal rights.

5. Defendant Zuffa, LLC shall produce to Plaintiffs a list (in electronic form to the extent available) of all persons who meet the definition of member of the Bout Class, including each person's last known address or other contact information.

6. Any member of the proposed Bout Class who retained Sparacino shall have 30 days from the date on which they receive a corrective letter to rescind their agreement to retain Sparacino without any adverse consequences—such as costs or fees owed to Sparacino.

DATED: \_\_\_\_\_

By: \_\_\_\_\_  
The Honorable Richard F. Boulware, II  
UNITED STATES DISTRICT JUDGE